

KA LEO O KA LĀHUI HAWAI'I

The Voice of the Hawaiian Nation

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Ka Lāhui Hawai'i Responds To SAC Report

"The SAC is framing the question so that they will have the power to call the shots."

"The 'secret' SAC-OSP-OHA bill will already be moving behind the scenes at the Legislature."

"Ka Lāhui already has a process and is a nation."

By MILILANI TRASK
Kia'āina

Ka Lāhui Hawai'i has reviewed the recently-published preliminary report of the State's Sovereignty Advisory Commission (SAC), and we have the following responses to their position statement:

PRESENTATION OF SAC REPORT

The SAC was supposed to present its report to the State Legislature on Dec. 30, 1993. The SAC will not present its report to the Legislature until Feb. 28, 1994 — four weeks after the deadline for introduction of bills.

ELECTIONS COMMITTEE

The SAC wants to ask voters if a "process" should begin to restore the Hawaiian Nation — but it does not want the people to elect representatives to create the process. The SAC is framing the question so that they will have the power to call the shots.

Many Hawaiians want a "process" for nationhood. Ka Lāhui already has a process and is a nation.

We do not want the SAC process, but we will not have a chance to say this in the ple-

established to educate, register votes, and to facilitate the election process."

- Who are on the Island Councils? What experience or background do they have in voter registration, education, or elections?

- What is the cost for this? Where is the budget? Who will pay for this? Will all island Councils have enough money to get the job done?

APPOINTMENTS COMMITTEE

The SAC says that under the U.S. and State Constitutions all Hawaiians are entitled to one vote.

- Why do we have to be under the U.S. and State Constitutions? Why can't we use our own Ka Lāhui Constitution? The SAC knows that under their procedure the Democratic Party PAC's on O'ahu will control the process.

See Ka Lāhui Responds, Page 4



Ka Lāhui Hawai'i citizens attending Sovereignty Advisory Commission hearings

The SAC has not circulated the bill it is pushing in the Legislature. The bill was written by the Office of Hawaiian Affairs (OHA) and the Office of State Planning (OSP), and has been quietly circulated to legislators and "others" working with the SAC.

It will not matter what the SAC final report says or what the community recommends in February 1994. The "secret" SAC-OSP-OHA bill will already be moving behind the scenes at the Legislature.

"We need to tell the SAC and the State Legislature not to act on any SAC measures in 1994 unless the final report of the SAC is filed before the deadline for bill introduction."

TRANSITION PLAN

The SAC wants us to "consider important questions"! These questions are:

- Should there be a moratorium on ceded and Hawaiian home lands?

- Should a special Hawaiian organization (the SAC and OHA) be able to negotiate and settle claims for the Hawaiian people before the state nation is created?

All Hawaiian groups have repeatedly called for a moratorium on ceded and Hawaiian home lands — the State has ignored this.

In 1989, Ka Lāhui called for OHA and DHHL to stop negotiating settlements. In our response to the OHA Blueprint we stated that only the Hawaiian Nation could resolve claims.

"We need to tell the SAC to put these questions on the ballot and to enforce a moratorium if the voters of the state call for a moratorium. Hawai-

ians do not need to "consider" these questions. We already have.

biscite. The SAC is hoping that everyone will say, "Yes, we want a process for nationhood," so they can proceed with their State/OHA plan.

"We should tell the SAC that we do not want their proposed questions and that we do not want a state created process."

Other issues and problems with the Elections Committee's recommendations:

- Why must all Hawaiians who want to participate "build upon the current OHA list"? OHA has lost over 30,000 voters because OHA doesn't speak for Hawaiians.

- Who is going to oversee the "special registration process"?

- How much is this going to cost? No budget has been provided. Will money needed for Hawaiian health, housing and education be diverted for this?

- How are we going to contact and inform every Hawaiian in the world?

CONVENTION COMMITTEE

The SAC is proposing conventions in each island and in America, elections of delegates to these conventions, a central convention and ratification vote.

- What is the criterion for delegates? Is there any training or education process for delegates? If so, what?

- How are all the Hawaiians who do not live in America supposed to participate? Where are their conventions?

- Who is actually going to conduct these conventions and what are the convention rules? Will each island make up their own convention rules?

ISLAND COUNCILS

The SAC says, "Island Councils will be

Political Action is Focus of New Ka Lāhui Committee

✻ ✻ ✻

Newly approved by the National Legislature, Ka Lāhui Hawai'i's Political Action Committee — also known as K-PAC — has moved into action to prepare for 1994 political activities.

A key responsibility of K-PAC will be establishment of the Candidates Endorsement Committee, which will develop candidate questionnaires, evaluate responses, conduct interviews if needed and recommend candidates for endorsement by Ka Lāhui Hawai'i citizens in the Fall 1994 elections.

The K-PAC is a National Committee chaired by Clara L. Kakalia, who was appointed by Kia'āina Mililani B. Trask.

Members of the committee are appointed from each island.

Kakalia says the committee's work will include public information regarding Ka Lāhui's position on political issues and regarding the state's Sovereignty Advisory Commission; evaluating legislation and monitoring the state legislature; legislative lobbying to support Ka Lāhui's bills; developing position statements for Ka Lāhui Hawai'i on political issues and coordinating the Candidate Endorsement Committee.

Kakalia can be reached at 262-8741 on O'ahu. ✻

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A Message from the Kia'aina

Kaho'olawe: Say Aloha to the 'Aina

For many Hawaiian activists, the recent

transfer of Kaho'olawe Island by the U.S. to the State was a disappointing loss.

It's not hard to understand why state officials and politicians (OHA, Waihee, Malama Solomon) applauded the transfer — clearly, they were able to obtain more federal land for state public use. The transfer confirms the status quo — sacred Hawaiian lands being converted to reserve or public park use.

"... Kaho'olawe sets the precedent...the State will act as trustee of lands..."

Many of the players have benefited significantly from this political deal. Dan Inouye and John Waihee were honored by special sacred ceremonies hosted by the Protect Kaho'olawe 'Ohana (PKO). This recognition was intended to counteract their flagging political records on Hawaiian issues. The PKO and its members received substantial funds from OHA for their part in the fiasco, and under the current arrangement will be sharing oversight power with the state and the County of Maui and making more money. Many PKO members received a share of the cash for their 'services,' including Davianna McGregor and Palikapu Dedman.

The U.S. is off the hook and will escape liability for irreparably damaging the ecosystem, environmental and cultural sites on the island. Inouye's promise of \$400 million 'clean-up' money has not yet been confirmed by the House and may not be forthcoming. If the money does come, it will go to contractors, the PKO and politicians with oversight responsibilities.

Neither the island nor the payoff money will go to the Hawaiian people. Kaho'olawe has become the most recent example of Hawaiian wahipana (sacred place) being withheld from the sovereign nation so that the public can benefit from a cultural park.

Perhaps the most embarrassing and shameful aspect of the Kaho'olawe tragedy is its impact on the sovereignty movement. Kaho'olawe sets the precedent that the State will act as trustee of lands and cultural properties intended for the 'new SAC/OHA nation' sometime in the distant future. Regardless of whether the island ever goes to the 'SAC/OHA nation,' it will always be used for a public cultural park. The Hawaiians involved (Emmett Ahuli, Davianna McGregor, the OHA Trustees) have agreed to be its 'cultural curators.'

This shibai is nothing new. The Mormon Church has maintained a cultural theme park in Lai'e for decades. The National Park Service is trying to make the Pai family 'cultural curators' of a park established on their traditional 'ohana lands. It appears that the State and the U.S. want to maintain the precedent that the appropriate model of Hawaiian sovereignty is the public park with native curators serving the public and visitor industry.

In the meantime, thousands of Hawai-

ians on waiting lists for homes and lands are ignored for 'lack of funding.' Everyone is asking why the \$400 million didn't go to meet the needs of the people and the DHHL homesteaders.

*Why the SAC
wants Hawaiians to be
'ethnic minorities'?*

Hayden Burgess and Mahealani Kamau'u have been working hard to convince the Governor's Sovereignty Advisory Commission (SAC) that the Hawaiians are "ethnic minorities" under international law. Kamau'u even wrote a legal memorandum to the SAC on this issue. This position controverts the efforts of native people worldwide who for 10 years have been in the United Nations arguing that natives should be acknowledged as 'indigenous peoples' and given the same rights that other 'peoples' enjoy under international law. This position was recently affirmed by the Working Group at the U.N. which completed the Declaration on the Rights of Indigenous Peoples in 1993.

*"...Ethnic Minorities or
immigrants do not
have rights to land,
nor do they have collective
rights to trust resources..."*

Since the creation of the U.N., colonizing nations have tried to keep the world's indigenous peoples as a second-class status. "Ethnic Minorities" or immigrants do

not have rights to land, nor do they have collective rights to trust resources such as water and other natural resources. If Hawaiians are 'ethnic minorities,' there is no reason why they should benefit from Hawaiian Home Lands or the Ceded Land Trust.

Kamau'u and Burgess are not the only ones on the SAC who believe that our people should be denied collective rights. The 'Ohana Council, led by convicted felon Dennis 'Bumpy' Kanahale, recently took the same position at a conference held in Oaxtepec, Mexico. There the 'Ohana Council representative, Kawehi Gill, tried to pass a resolution which characterized Hawaiians as 'first nation people.' The use of the term 'people' in the international arena refers to individual rights only and excludes collective rights. Needless to say, the 'Ohana resolution was not passed in Mexico because the leaders of indigenous peoples are committed to establishing and defending their collective rights to land, water and natural resources.

There have always been Hawaiians who sold out. Some Hawaiians did assist in the illegal overthrow in 1893, just as some Hawaiians today are more than willing to act as advocates for the state and federal position. We all need to be aware of the conduct of the SAC — for if they and the Democrats get their way, the status quo will be maintained. ♪



VOTE: The Last Battlefront for Hawaiian Sovereignty

By John Ching, Sr., Moku Judge, O'ahu Island

Pull out all STOPS! Organize your immediate and extended families (all islands and Mainland too). This is the last chance for all Hawaiians to impress and impose their will, their desires and their demands upon all levels of government officials in Hawai'i and on the Mainland. Take advantage of your family gatherings throughout the year to promote your plan of action to identify the various county, state and federal politicians who oppose now and in the past Hawaiians' desires and demands for self-governance. Do this now! Get ahead of the power curve! Tomorrow is too late — do not wait until a week before elections!

The first step is to identify the political races for your district, in the county, state and congressional levels. Include those politicians in office who still will continue to work against Hawaiian sovereignty (which is the majority of the politicians). Convince your mainland 'ohana to do the same. Remember, almost all politicians (local and federal) are against "righting the wrong" — so do not vote for them! Rest assured that most of the new faces running for office will be of the same mind unless they publicly state their support for Hawaiians civil rights.

The political agenda has always included control of Hawaiian trust lands with stingy lease allocations to native beneficiaries, "no money" excuses for building infrastructure on trust lands, refusing or making low-cost loans difficult to obtain for home construction and leasing trust lands cheaply (one dollar per year) to non-Hawaiians or the government first.

The list of "wrongs" are endless as you know. Yet we can turn the tide into success if three conditions are met. Your battle plan needs to implement the following strategies:

1. Your commitment and determination to convince other adult family members to register to vote now! Keep in touch with them at your family get-togethers and update them on who are the political enemies of Hawaiian sovereignty.

2. All eligible voters (you are eligible if you voted in the last election) must identify all of Hawai'i's politicians whose current and past history shows their opposition to Hawaiian sovereignty. Do not support them! Warn your 'ohana not to vote for them! Remember many politicians in and out of office are still influential within their parties and can have an impact on the outcome of an election or

race.

3. Go to the polls and vote on Election Day! It is not enough to say you are registered unless you exercise your right to vote. Go to the polls early to avoid long lines. If you are not able to vote because you are physically handicapped, need a baby sitter, caring for an elderly or handicapped person(s), working more than one job, working shifts, without personal transportation or just too lazy, then request an absentee ballot from the Lt. Governor's office or indicate on your voter registration application form.

Absentee ballots will be more liberal next year. Ensure you get one at least 10 days prior to Election Day. You must cast your votes, sign the ballot and mail or deliver the absentee ballot no later than 12 noon on Election Day. Play it safe and mail or deliver it four days before Election Day. Be aware there may be changes in how Absentee Ballots are handled in 1994.

The last battlefront for Hawaiian Sovereignty can only be won via the ballot box by eligible voters. Are you eligible? If not, register to vote now! The issue is no longer vote because you care. The issue here is vote because this is where Hawaiians can make a difference by voting for candidates

who are supportive of restoring Hawaiian rights which include the right to self-determination. ♪

*E ola mau Ka Lahui Hawai'i! Vote for
Hawaiian Rights!*

SOVEREIGNTY WORKSHOP PLANNED

A workshop on Hawaiian sovereignty has been scheduled in East O'ahu during January.

A workshop is set 6 p.m. on Jan. 25 at Koko Head Elementary School in East O'ahu.

All interested citizens and others who wish to learn more about the Hawaiian sovereignty struggle, and Ka Lahui Hawai'i, are invited to attend.

Call the O'ahu Center for Communications 521-3503 for more information.



O'ahu Historic Preservation Commission Established

By Mahealani Cypher, O'ahu Kona District Land Chair

Hawaiians throughout the island of O'ahu lauded the establishment of a new O'ahu Historic Preservation Commission this past year. Legislation calling for the commission was introduced by City Councilman Andy Mirikitani and was supported by all nine members of the Honolulu City Council.

The bill's primary concern is with identifying and preserving ancient Hawaiian cultural and sacred sites, according to Francine Gora, O'ahu Kona District chair who testified for its passage.

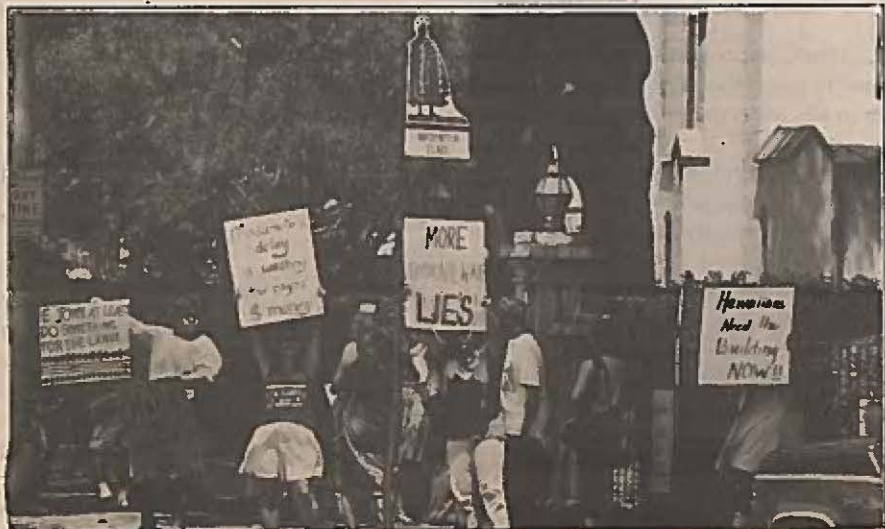
Mirikitani's bill calls for a comprehensive inventory of all Hawaiian sites on O'ahu and will include a public outreach program. This program would involve going out to the Hawaiian community and inviting people to come forward and register the lo-

cation of significant cultural or sacred sites. Once the inventory is completed, all sites will be matched with tax map keys on a computer data base. Then the new commission will begin its work.

Projects coming up for building permits will be cross-checked against the computer printouts. If a match is found (a site located in the project area), further archaeological evaluation may be required.

Specific rules and regulations to implement the new law would be defined by appointees to the commission. The law calls for the members to be appointed by the Mayor with the approval of the City Council. A public hearing is required before the new rules can be adopted by the commission. 4

KŪIKALĀHIKI Youth in Action



Members of Kūikalāhiki demonstrate in front of the Governor's mansion in support of the Hawaiian Studies Building

A new organization, Kūikalāhiki, a Hawaiian political action group geared to involve young people in the activities of Ka Lāhui Hawai'i has been formed on the UH-Mānoa campus.

Presently, the group is comprised of students attending UH-Mānoa. Their main objective is to educate young people and the general public about the many struggles facing Native Hawaiians.

In conjunction with this educational effort, Kūikalāhiki also "gets involved" in various public outreach activities which include holding signs at demonstrations, testifying at public hearings and conducting letter writing campaigns among other things.

"Because Kūikalāhiki is a political organization, the majority of our members are already citizens of Ka Lāhui Hawai'i, according to Kahunawai, one of the group's founders. "We invite all students — and young people in general — who are un-

familiar with the Hawaiian movement, to get involved with Kūikalāhiki to further your understanding."

The group's advisor is Kanalu G. Terry Young, a professor and Ka Lāhui citizen from the Center for Hawaiian Studies.

Kūikalāhiki's outreach projects involve workshops and a speakers bureau to give talks at high schools, colleges and other forums throughout the islands.

"We feel it is important for high school students to know their history from a native point of view," says Kahunawai. "So much of our problems today stem from the fact that people only know the colonizer's perspective of Hawai'i's history."

Anyone interested in joining the group or in having Kūikalāhiki provide a workshop for your class, club, school or 'ohana should call the UH-Mānoa Center for Hawaiian Studies at 956-6825 and leave a message with your name and number. 4

Ka Lāhui Leaders Adopt Strategic Plan

A comprehensive strategic plan for Ka Lāhui Hawai'i has been adopted by the National Legislature during its November 1993 Session.

The plan is the product of a three-day conference held August 20-22 at Nānākuli High School.

About 50 leaders from throughout the island chain and Moku Honu (continental United States) gathered to discuss long range goals and objectives for the nation and determine specific strategies for accomplishing those goals.

The gathering was guided by two facilitators, Kim Epley and Gary Forbes, who implemented the Institute of Cultural Affairs "Technology of Participation" methods to involve the greatest amount of participation by Ka Lāhui Hawai'i officials.

The process calls for participation, teamwork, creativity and action, moving from consensus to action through accountability-based planning.

Ka Lāhui Hawai'i's Practical Vision for the Year 2003 covered three strategies for collaborative effort by the nation:

- Towards Kānāwai - Covering 'Imi Na'auao (Searching for knowledge), Eco-

nomie Independence and Mālama 'Āina objectives;

- Towards Pono - Covering Mālama Kou Kino (Health Concerns), Traditional Land-Based Cultural Centers and E Ho'omau Ka Ha Hawai'i (Protection of Cultural Integrity); and

- Towards Ea - Working for Strong Political Networks, Worldwide Recognition and Acceptance and Ho'omaluhia (Working for Peace).

Four goals set by the plan for the next two years include:

- Asserting self-determination.
- Implementing educational and social service program.
- Creating economic self-sufficiency.
- Empowering Hawaiians through education and communication.

Work planned during the current quarter (December-February) includes: publicizing Ka Lāhui Hawai'i's strategies, developing and implementing a citizen participation model, lobbying the state legislature to support Ka Lāhui Hawai'i, identify cultural centers for each island, conduct training programs for leaders and citizens and publish the national newspaper. 4

ACTION ALERT: KA LĀHUI CITIZENS URGED TO WRITE CONGRESS REGARDING HEARINGS ON FEDERAL TRUST OBLIGATION

Ka Lāhui Hawai'i issued an alert to all Ka Lāhui Hawai'i citizens, community groups and Hawaiian Homesteaders regarding the Federal Trust obligations and oversight hearings planned for Hawai'i.

All concerned citizens, community leaders, and individuals are urged to write to the following members of Congress and ask for oversight hearings to be held here in the Hawaiian Islands. Letters should be sent to all those listed, using the information contained on the letter below:

- Rep. Neil Abercrombie
Room 4104 Prince Kuhio Bldg.
Honolulu, Hawai'i 96850
- Rep. Patsy Mink
2135 Rayburn House Bldg.
Washington, D.C. 20515-1102
- Rep. Bill Richardson, Chairman
Sub-Comm. on Native American Affairs
1324 Longworth Bldg.
Washington, D.C. 20515
- Sen. Dan Akaka, Chairman
Sub-Comm. on Mineral Resources
720 Hart Senate Bldg.
Washington, D.C. 20510-1103
- Sen. Bennett Johnson, Chairman
Comm. on Energy & Nat. Resources
Dirksen Senate Ofc. Bldg., #304
Washington, D.C. 20510-6150

Dear Representatives & Senators:

I am writing to request that the House and Senate Committees with jurisdiction over the Hawaiian Homes Act of 1920 conduct oversight hearings in Hawai'i on the issue of the State and Federal Trust obligations arising out of Sections 4 and 5 of the Hawai'i Statehood Act.

The position of the Clinton Administration contained in the opinion of Solicitor John Leshy (Nov. 15, 1993) fails to address or resolve the real situation in Hawai'i. Since the Hawai'i Advisory Committee to the U.S. Commission issued its report in December 1991 (verifying the failure of the State and the U.S. to protect Hawaiian civil rights for over 60 years), no meaningful solutions have been forthcoming either from the Administration, the State, or Congress.

I do not agree with and do not support the efforts of the Hawai'i State Administration to work out some administrative resolution.

Please come to Hawai'i. Give us the chance to make the Congressional Record so that a legislative solution reflecting all concerns can be achieved.

(signed) _____

Name _____

Address _____

See related article on next page

SOVEREIGNTY

... is the ability of a people who share a common culture, religion, language, value system and land base, to exercise control over their lands and lives, independent of other nations. In order for Native Hawaiian people to exercise control over their lives and property, they must be self-determined.

INTERNATIONAL WORK: Ka Lāhui Hawai'i At Geneva and Vienna

Building a strong international network of support for Ka Lāhui Hawai'i has taken Kia'aina Mililani Trask on travels to two important conferences resulting in significant gains for the Hawaiian Nation.

A major accomplishment was the development of the Draft Declaration on the Rights of Indigenous Peoples, which provides the fundamental basis for us to assert the rights of Ka Lāhui Hawai'i as the sovereign nation of the Hawaiian people.

Trask addressed the United Nations Working Group, which prepared the draft this past July in Geneva, Switzerland to look at the U.N. System on Human Rights. This "lowest rung" of the U.N. Human Rights

System was created over 10 years ago to accomplish two goals:

- (1) Standard setting in the area of Indigenous Rights; and
- (2) Fact-finding.

"For years, the Working Group has been working on this Declaration of the Rights of Indigenous Peoples," Kia'aina Trask says.

The late Kawaipuna Prejean represented Ka Lāhui Hawai'i and other Hawaiian groups at the U.N. for many years, she added. In 1991, Prejean filed Ka Lāhui's original submission on treaties as a Ka Lāhui Hawai'i Diplomatic Liaison. This year's gathering was the 11th session of the Working Group, Trask noted.

"The first four days of the two-week session were explosive," she related. "Native delegates arrived from all over the world prepared to file interventions on the draft declaration."

Kia'aina Trask said Moana Jackson of

Aotearoa was instrumental in presenting a petition to the Working Group to assure that language relating to self-determination was included in the final draft.

"The Indigenous Peoples successfully fought to see that the right of self-determination defined in the International Convention on Civil and Political Rights was extended to indigenous peoples," she added.

The key paragraph in the declaration reads:

"...indigenous peoples have the right of self-determination by virtue of which they may freely determine their political status..."

Several of the Hawaiian attendees who were present signed the petition except Hayden Burgess.

Soli Niheu and the Makua 'Ohana-Pu'ukohola group arrived during the second week and were not there to sign.

Among several U.N. member nations attending the session was the United States delegation which opposed the Draft Declaration.

Chief Oren Lyons of the Iroquois Confederacy and Chief Richard Grass of the Lakota Nation strongly asserted their position that native people want self-determination on their land bases according to their traditional and cultural practices.

Kia'aina Trask said she was excited and pleased to have been a participant in the final drafting of the Declaration. She also participated in the World Conference on Human Rights in Vienna, Austria in June 1993. At that conference, she submitted Ka Lāhui Hawai'i's Report on "Human Rights Violations of Native Hawaiians."



Kia'aina Mililani Trask addresses the Honolulu press on her return from Vienna

PRESIDENTIAL APOLOGY QUESTIONED

In light of Interior Memo

On Nov. 15, 1993 the U.S. House of Representatives passed the Akaka Resolution whereby the United States officially apologized for the illegal overthrow of the Hawaiian Kingdom in 1893.

Although the news media, the Governor's Office, and Senator Inouye praised the apology as the first step in a process to establish a "federal trust obligation" between the Hawaiian people and the United States, this was clearly false.

What Inouye and Waihee did not tell the press was that, on Nov. 15, the U.S. Department of Interior issued a legal memorandum which stated three things:

#1. The Interior Department was withdrawing the policy position of the Carter Administration in 1979 that there is a federal trust obligation owed to the native Hawaiian people under the Hawaiian Homes Act and the Statehood Act;

#2. The Interior Department was also withdrawing the policy position of the Bush Administration in 1993 that there is no federal trust obligation established by the Hawaiian Homes Act or the Statehood Act; and

#3. That the Clinton Administration would continue to assert that there is no trust obligation in all cases currently being litigated on this issue.

The memorandum, known as the Leshy opinion, was circulated on the floor of the House of Representatives on Nov. 15, 1993, in order to allay fears of opponents to the Apology Resolution that the Apology would result in redress.

Senator Inouye and Governor Waihee issued news releases informing the public that Interior had withdrawn the Bush position — but failed to tell the public that the U.S. would continue to deny any trust obligation in court.

The Leshy Opinion, reported below, clearly demonstrates that the Clinton Administration has not accepted any trust ob-

ligation on behalf of the Hawaiian people.

STATEMENT OF SOLICITOR JOHN D. LESHY

Nov. 15, 1993

I have decided to withdraw the January 19, 1993, Opinion of my predecessor on the scope of federal responsibilities for Native Hawaiians. That formal legal Opinion, issued at the very end of the Bush Administration, staked out a broad position that the United States had little responsibility regarding Native Hawaiians under the Hawaiian Homes Commission Act of 1921 and the Statehood Act of 1959. Its broad language and premises, coupled with its timing, have created considerable controversy.

The narrow issues addressed in the Opinion — whether the 1921 Act and the Statehood Act created a federal trust responsibility and whether the United States can be judicially compelled to bring a legal action to enforce these statutes — are at issue in pending litigation. The Department of Justice, without referring to the January 19 Solicitor's Opinion, has been defending the position in the litigation that no federal trust responsibility exists under those statutes and that the United States cannot be compelled to bring an enforcement action. In February 1993, the federal district court in Hawai'i, also without referring to the Opinion, found for the United States on these issues. The case is now before the Ninth Circuit Court of Appeals.

The United States is maintaining its position in the litigation. Therefore, rewriting the January 19 Opinion to narrow its focus seems unnecessary. Instead, I am simply withdrawing the Opinion in its entirety. To avoid confusion, I am at the same time disclaiming any future Departmental reliance upon an August 27, 1979, letter of the Deputy Solicitor (overruled in the January 19 Opinion) to the extent it could be construed as inconsistent with the position of the United States in the litigation. ◀



Ka Lahui Responds to SAC Report From Page One

• The SAC wants a bicameral process to be used — just like the U.S. and State Governments. This is not the Hawaiian process.

Culturally, Hawaiians meet as one group, one 'ohana. If a bicameral process is used, we will be just like the State. Disagreements between the two bodies that cannot be resolved will never be resolved.

• The SAC wants to use "traditional districts." In ancient times, many people lived in the traditional districts. This is not true today.

East Molokai and West Maui are good examples of traditional districts where the native population has significantly changed.

We know where our people live now. Why do we ignore our people? Check the SAC proposal out. All the traditional Hawaiian communities are left out. Where is Miloli'i, Kalaupapa, Waimānalo, Keanae-Wailaunui?

These smaller traditional communities have all been swallowed up by larger districts. This will ensure that the voice of traditional, rural fishing and farming vil-

lages will be silenced.

EDUCATION COMMITTEE

The SAC wants to initiate another education process in order to "ensure that Native Hawaiians are able to make informed decisions about sovereignty." The SAC now wants to control all educational efforts to "coordinate efforts."

There are numerous ongoing efforts for education. Hui Na'auao has one million Federal dollars for education. Ka Lāhui, the Pro Sovereignty Working Group and many others are already doing the job.

• How much will the new SAC education process cost? Where is this money coming from?

• What is the education program? Who will be creating the educational materials?

VISION COMMITTEE

The SAC says that they created this committee "to be true to the spirit of self-determination." Now they are using State funds to bring in people they say are international law experts to decide our issues in the inter-

national arena.

In 1992 the U.S. agreed to be bound by the International Covenant on Civil and Political Rights. This covenant defines the right of self-determination as the right of people to freely determine their political status.

The SAC is violating our right to self-determination. We did not elect them to represent us. They are governor appointees and are not accountable to their own people.

"We need to tell the SAC that if they really support self-determination, then they should resign and tell the State that only the Hawaiian people can elect their representatives and that neither the Governor nor the State can appoint our representatives. ◀

SELF-SUFFICIENCY

...is the goal of nationhood. Self-sufficiency means the people are able to be self-supporting, capable of feeding, clothing and sheltering themselves

Clinton Meets With Ka Lāhui Hawai'i

Amid thousands of tourists, political supporters and the general public, U.S. President Bill Clinton got a personal introduction to Ka Lāhui Hawai'i's citizens this past July during his visit to the islands.

In his remarks given on the beach at the Hilton Hawaiian Village in Waikiki, Clinton directly responded to appeals from Ka Lāhui Hawai'i for recognition of Hawaiian rights. A letter was exchanged calling for formal talks between the Clinton administration and Ka Lāhui Hawai'i.

Later that week, a ho'okupu (offering) presentation and ceremony on behalf of Ka Lāhui Hawai'i was held at the Prince Kūhi'o Kalaniana'ole Federal Building to convey to Clinton in a "nation-to-nation" gesture of goodwill and friendship.

Ka Lāhui Hawai'i will be contacting White House officials to initiate meetings between Ka Lāhui Hawai'i delegates and the Clinton administration in the coming spring. ◀

The State Sovereignty Advisory Commission: Selling Out Sovereignty

History of the Bill

Senate Bill 1028 (S.B.1028) which created the Sovereignty Advisory Commission (SAC) was passed into law without a single public hearing. How did this happen and why did it happen?

When the 1993 State Legislative session opened, Ka Lāhui Hawai'i and OHA-sponsored bills to address Hawaiian sovereignty were introduced and subsequently killed. Thereafter, Senator Malama Solomon called for roundtable discussions with several sovereignty and civic groups to work on a new bill called the Loa'a Ka Pono measure. Solomon's efforts were curtailed when Rep. Tom Okamura set up closed door discussions with certain OHA Trustees and Roxanne "A'o Pōhaku" Rodenhurst (a SAC commissioner) on a secret bill he had drafted.

After the deadlines for hearings, Okamura produced his version of S.B. 1028 in closed discussions held with Rep. Ululani Beirne and other Democratic legislators in the House and Senate. With the support of Gov. John Waihee, the bill was enacted as law.

Why the Subterfuge

The State Democrats have tried unsuccessfully to sponsor state and federal initiatives to control sovereignty and have a state-created Hawaiian nation. Waihee and the Democrats created OHA in the 1979 State Constitutional Convention to be a "quasi-sovereign" entity. Dan Inouye has tried twice to sponsor legislation for a state-or-federal controlled process to create a native nation. When these attempts to co-opt sovereignty failed, OHA then unveiled its infamous Blueprint Plan which stated the following: (1) the State would settle all claims relating to breach of trust for Ceded Lands and Hawaiian Home Lands before Hawaiians get the right to sue them in federal court; (2) the State would create and control a process under state law for the formation of a new Hawaiian nation (which would have no land); and lastly, (3) OHA would change its name and become the new nation. The Blueprint was rejected by the Hawaiian people, yet OHA has continued to implement the plan.

Okamura and the State Democrats are worried about Ka Lāhui Hawai'i and Hawaiian self-determination. They need to control our trust lands and assets. This is why they created the Sovereignty Advisory Commission.

WHO'S WHO ON THE SOVEREIGNTY ADVISORY COMMISSION (SAC)?



Sol Pili Kaho'ohalahala is employed by the Lodge at Kō'ele, one of two exclusive resorts on Lāna'i, where he acts as the Director of Cultural Resources. His job is to "enhance"

the Rock Resorts development with Hawaiian events. Kaho'ohalahala has no credentials in cultural curatorship. He nominated himself to the SAC; his request to the Governor was not supported by community groups on Lāna'i.

Davianna McGregor is an Assistant Professor of Ethnic Studies at UH-Mānoa. She is a member of the Protect Kaho'olawe 'Ōhana (PKO) and the Pele Defense Fund (PDF). McGregor opposed construction of the Center for Hawaiian Studies building and tried unsuccessfully to get an Ethnic Studies resolution against the building. She is one of the four people who presently control the PKO and PDF. Davianna arranged for the PKO to have special cultural ceremonies honoring Dan Inouye and John Waihee on Kaho'olawe in August 1992, participated in the creation of the Kaho'olawe Arrangement whereby the island would be a state park controlled by a coalition of the state county, OHA and PKO. McGregor wrote the PKO testimony for the 1993 Kaho'olawe state legislation which failed to comment on the Senate's companion bill which supported casino gambling on Kaho'olawe.



Louis Buzzy Agard was recently employed as an Office of Hawaiian Affairs staffer as assistant to ex-Trustee Louis Hao. He has enjoyed a close relationship with

Democratic Party leaders and was appointed by former Governor Ariyoshi to serve as a Commissioner with the Department of Hawaiian Home Lands. While on the DHHL board, Agard supported state policies and did little to meet the needs of those on the waiting list. He was a member of the first Sovereignty Advisory Council as a representative of the Council of Hawaiian Organizations (COHO). In this capacity, Agard secured \$45,000 of legislative funding from SAG#1 for COHO. This money was transferred to COHO and held by Agard for more than a year until other COHO members insisted the money be returned to the Legislature.

Rev. Natalie Tasha Kama was previously appointed to sit on the OHA Salary Commission and voted for a salary for the OHA Trustees. She is employed by Na Po'e Kōkua, a self-help housing office created and funded by OHA on Maui. Kama is currently seeking additional funds from OHA to keep her office running and to pay her salary. There are indications Tasha Kama is considering running for an OHA seat next year. She is the daughter of Rev. Clarence Kamae of Maui.

Kina'u Boyd Kamali'i is an OHA Trustee and works as an Administrator for the State Health Planning and Development Agency. Kamali'i was a loyal Republican until the voters of Waikiki dumped her. Thereafter, Waihee gave her the State job and converted her into a loyal Democrat. Kamali'i chaired the Native Hawaiian Study Commission (NHSC), which issued a report finding that there was no liability on the part of the U.S. for the illegal overthrow of the Hawaiian Kingdom. As the chair of the NHSC, Kamali'i 'gave away' to the U.S. the power to write the majority report that was

issued. Later, she had to get Mililani Trask (our Kia'aina) and Melody McKenzie to write her own minority report!



Allen Hoe is one of the original members of "Us Guys Together," the political group started by John Waihee which eventually be-

came Waihee's campaign committee. Hoe has extensive connections with the Democratic Party and was previously appointed to serve as a state court judge. Currently, he sits as a Governor's appointee to the State Land Use Commission (LUC) and is the subject of a federal investigation being conducted into questionable activities of the LUC. Hoe has never been involved in grassroots sovereignty activities.

Māhealani Kamau'u is the Director of the Native Hawaiian Legal Corporation (NHLC). Her salary and entire office are supported by OHA funds (over \$7 million of trust dollars) in recent years. Kamau'u and her office played a pivotal role in working with the Governor for passage of the ineffective State Right to Sue bill which would give Hawaiians the right to sue, but prevents them from receiving land or money. Also, she supported the OHA Blueprint and was in charge of conducting some of the community meetings to get support for the Blueprint plan (which failed miserably).



Hayden F. Burgess

An ex-OHA Trustee, Burgess also goes by an assumed name — Pokā Laenui (otherwise known as 'Liar Nui' in the community) — and purports to be a spokesperson for the Institute for the Advancement of Hawaiian Affairs (a corporation consisting of himself and his family). He is widely recognized as a pro-government sympathizer in the international arena because of his support for the I.L.O. Conventions which allow nations to forcibly remove and relocate native people from their lands. Burgess was a previous Vice-President of the World Council of Indigenous People until they forced his resignation in the late 1980s. Hayden is a licensed attorney in Honolulu who was publicly censured in 1988 by the State Supreme Court, Office of Disciplinary Council. Burgess states publicly that he has not paid taxes for over 10 years and encourages Hawaiians to become tax evaders.

Kamaki Kanahele

Kanahele is an OHA Trustee and President of the State Council of Hawaiian Homestead Associations (SCHHA), a group which does not represent all of the Homestead Associations in Hawai'i and which did not nominate Kanahele to the SAC. Kamaki is the nephew of Hoaliku Drake, the Governor's appointee who chairs the Dept. of Hawaiian Homelands (DHHL) and a

cousin of Henry Peters, a Bishop Estate Trustee.

Kamaki's ethics disclosure reveals that he does private consulting for William Wanket, Inc., LDS Church Project and Kabushi Ki Oban. In the past, he has also done contract work with the State (Dept. of Education and Dept. of Business, Economic Development and Tourism) and was receiving \$5,000 per month from Hida, Okamoto and Associates.

Kanahele states publicly that the SCHHA voted not to support sovereignty in 1987 and claims the SCHHA represents 30,000 Hawaiian Homelands lessees. He is not able to prove who they are given the fact the DHHL has issued less than 6,000 leases in 70 years!

Kanahele was formerly employed as an Administrator for OHA and ran into trouble when then OHA Trustee Gard Kealoha found out Kamaki had lied on his resume to get the job. It didn't matter. OHA kept him on the job! No one knows why he is on the SAC or what his real agenda is!

LaFrance Kapaka-Arboleda

LaFrance is a lessee of the Bishop Estate and a well-known Hawaiian activist on Kaua'i. She was directly involved in a community-based economic development project at Waipa and is the Kaua'i Executive Director for Habitat for Humanity. LaFrance has been a controversial figure in the reinterment of ancient bones disturbed by development (i.e. The Point at Mākāhū'ena Pt. in Weliweli) and serves as the island chair for the Kaua'i Burials Council.

Dennis 'Bumpy' Kanahele

Bumpy is a cousin of Larry Mehau and has had closed door meetings with David Trask, various union leaders and two unidentified Samoan chiefs in 1992 to obtain their assistance in furthering the sovereignty movement. Funds from Mehau and the union given to Senator Eloise Tungpalan's Blue Ribbon Committee were funneled to pay for Kanahele's Telethon televised from 'Iolani Palace in January 1993.

Recently, Kanahele worked out a deal to acquire Ceded Lands in Waimanalo from the Dept. of Land and Natural Resources (DLNR) which were leased to Hawaiian farmers who have worked for several years to obtain agricultural lots in the area.

Kanahele has been convicted for car theft, felony property damage, assault and terroristic threatening crimes.

H.K. Bruss Keppeler

A Hawaiian attorney practicing corporate and real estate law, Keppeler has been a 'civic club' Hawaiian for years. Currently, he serves as the Chair of the SAC #1 while sitting on the SAC #2. Keppeler has refused to support Hayden Burgess' demand for \$10,000 which Louis Agard and the COHO are holding!

Keppeler is the current President of the Association of the Hawaiian Civic Clubs (AHCC) and was instrumental in getting the Civic Clubs to honor Senator Daniel

See Who's Who's, Page 8

THE KA LAHUI HAWAI'I PLATFORM ON THE FOUR ARENAS OF SOVEREIGNTY

Sovereignty as a political concept is applied in four distinct political arenas. It is important to understand these political arenas if you are to understand what the Ka Lahui Hawai'i Sovereign initiatives are. All indigenous peoples working with sovereignty work in these four arenas.

I. POLITICAL ARENA NO. 1 - NATIVE TO NATIVE

All native peoples committed to sovereignty must deal with themselves, their culture, their traditions, lands and government. Indeed, all indigenous peoples must begin by defining who they are, and what they mean when they say they are sovereign.

Political Issues and Agenda in Arena No. 1

A. Issues relating to Native Entitlements and National Identity

1. What kind of nation do we Hawaiians want?
2. Do we believe in self-determination?
3. What do we say sovereignty means?
4. What are our cultural traditions? How are they incorporated in our Nation?
5. What is the land base of the Nation?
6. What are our entitlements?
7. How will we govern ourselves and exercise jurisdiction over our lands?
8. What is the goal of our Nation? What principles are we committed to?

B. Issues relating to the obligations and responsibilities of the nation

1. How will the "government" provide for and incorporate the mana'o (thoughts) of its citizens in meeting their needs?
2. What national initiatives will be pursued for health, education, welfare, housing, etc. for our citizens and their family?
3. How will the nation train our leaders and acquire the necessary skills for self-governance?
4. How will the nation generate revenue and develop an economic base?
5. How will we provide for land and natural resources management?

C. Ka Lahui Hawai'i's Agenda in Arena No. 1 (by priority)

1. Create a native initiative for self-governance. Create a real nation which incorporates self-determination into its governing structure. Stop mourning the loss of sovereignty and begin the work of nationhood. Kanaka Maoli must define the terms and powers of government.
2. Develop and implement a mass educational project on our entitlements, land base, status, etc.
3. Seek funding to train Hawaiians in areas needed to strengthen our skills in self-governance (land, education, finance and health).
4. Obtain resolutions of support from our broader community, especially our churches.

II. POLITICAL ARENA NO. 2 - NATIVE TO NATION/STATE

Many indigenous peoples and nations were taken over or colonized by Western and European powers. These native cultures, when asserting sovereignty, must deal with the nations/states that have control over their traditional lands.

Hawaiians, Alaskan Natives, American Indians, Western Samoans, Puerto Ricans, Chomorro (native people of Guam) all deal with the U.S. The Yanonami's deal with Brazil, the Inu with Japan. Some indigenous peoples deal with many nation/states i.e. the Sami (Laplanners) deal with Russia, Sweden, Denmark and Finland.

Political Issues and Agenda in Arena No. 2

A. Issues to the U.S. and its agent the State of Hawai'i.

1. Why has the U.S. Policy for native self-governance not been extended to Hawaiians? Why are we the only natives residing within a state that are wards of the State?
2. What is the nature of the State-Federal trust obligation to "native Hawaiians" and to "Hawaiians"?
3. Segregation and transfer of trust assets, revenues and lands to the native nation.
4. Our right to access the federal court system to sue the U.S. and State to protect our land and enforce the State and Federal statutory and trust obligations.
5. Reparations for the illegal overthrow and illegal uses of our trusts and for violations of our human and civil rights.

B. Ka Lahui Hawai'i's Agenda in Arena No. 2

1. Maintain our commitment to peace and disarmament (we will not declare war or engage in violence).
2. Participate to the greatest extent in all U.S./ State legislative process promoting our national platform. Obtain federal and state recognition of our nation under the U.S. Policy. Termination of the policy of wardship. Take it to D.C.

3. Obtain segregation of our lands, trust assets and revenues from the State. Establish jurisdiction to tax and raise revenues and tax exemption for native undertakings.

4. Establish the record of the extensive human and civil rights abuse of Kanaka Maoli. Advocate strenuously for correction of these abuses and for allocation of our lands. Use civil disobedience if necessary.

5. Raise the National (U.S.) consciousness about our status. See National (U.S.) publication of our issues.

6. Oppose and expose the Inouye/ Waihee/OHA plan, ceded land settlement, etc.

III. POLITICAL ARENA NO. 3 - THE INTERNATIONAL ARENA

The International Arena is not just limited to the United Nations. It includes the International Labor Organization (ILO), World Council of Churches (WCC), the International Court and various international/regional associations such as the Organization of American States (OAS). Also, it includes associations of people groups not in the U.N. but in the international arena such as the NGO's (FWGIA/ITL international jurists, Anti-Slavery Society, etc.).

Issues impacting the global community of indigenous peoples are addressed in the international arena. Human rights conventions, the Draft Universal Declaration, the Martinez Treaty Inquiry, the Law of the Sea Convention, the International Convention on Civil and Political Rights, etc., impact the global indigenous community.

A. Political Issues and Agenda in Arena No. 3

1. The listing and removal of Hawai'i from the U.N. list of non-self governing territories in 1959.
2. The violations of human and civil rights under the Covenant on Civil and Political Rights, OAS and other documents and conventions.
3. U.S. position at U.N. on Draft Declaration and its recent proposal to redefine the term self-determination.
4. Identification of the Pacific Basin as a toxic and munitions dump site for U.S. and Western ordnance (weapons and chemicals).
5. Position on Nations/States regarding treaties with the Hawaiian government (Kingdom).

B. Ka Lahui Hawai'i's Agenda in Arena No. 3

1. Establish a presence in the International Arena through our Diplomatic and Foreign Ministry. Educate Internationally.
2. Attend Human rights and working group sessions and file written interventions on the Draft Declaration, Martinez Treaty Study, etc. Counter U.S. positions. Work with NGOs.
3. Initiate an international complaint on human rights violations against the United States.
4. Get Hawai'i back on the U.N. list of Non-Self Governing Territories (with Guam and Puerto Rico).

IV. POLITICAL ARENA NO. 4 - NATION TO NATION

Regardless of whether Nations/States (U.S.) recognize indigenous nations whose lands they have colonized, Native Nations can and must solidify diplomatic relations between themselves and other Nations/States. Indigenous nations face common threats and issues in the international arena. Native nations need to forge unified positions in the global arena for the protection of their lands, territories and human rights.

A. Issues in Arena No. 4

1. What is the best and strongest position all indigenous nations can take on the Draft Declaration and other international conventions.
2. What is the global indigenous response to the U.S. positions at U.N. on conventions and Pacific Basin development.
3. GATT, NAFTA, etc. - The New World Order and Supra-National Corporate treaties which impact native territories and entitlements.
4. How can we benefit from or help other native nations who are dealing with similar health, housing, educational, etc. problems and issues?

B. Ka Lahui Hawai'i Agenda in Arena No. 4

1. Network through WCC. Attend regional consultations on issues No. 1, 2 and 3 above.
2. Enter into treaty negotiations with other Native nations in the U.S. to mutually benefit our people.
3. Associate with other nations and jointly file interventions at the U.N.

NATIVE PEOPLE AND INTERNATIONAL LAW:

Changing Times By Mililani Trask, Kia'aina

The Dichotomy Has Always Been There

The "indigenous question" has been an evolving issue in international law ever since the industrial powers of the world realized that a substantial portion of the underpaid laborers of the world were native people. It is also true that there has always been a divergent opinion — that of the native people themselves, that they were not merely 'laborers' but were peoples and were entitled to the rights, privileges and protections that other (white) peoples receive under various international legal documents. This historic perspective was enunciated in 1923 by Cayuga Chief Deskaheh of the Iroquois Confederacy who traveled to the League of Nations in Geneva seeking membership for the Confederacy in the League. The League never admitted the Iroquois and never allowed the issue to be officially discussed.

Indigenous peoples and nations are not allowed a place in the United Nations structure nor are they allowed a seat in the General Assembly. There have been a few international instruments which refer to the rights of the native peoples, but these instruments generally discount the rights of the indigenous peoples as the original inhabitants of traditional lands with collective cultural, religious and political rights. Until the 1980's, International instruments have viewed indigenous peoples as "ethnic minorities," "indigenous populations," or "insular minorities." The difference is simple — "ethnic minorities" are not entitled to the rights afforded to "peoples." They are second class global citizens who are not entitled to 'self-determination' (the right to determine their political status), and who are to be treated as wards of the states (nations) in which they reside.

The I.L.O. Conventions

The International Labor Organization (I.L.O.) was created by the Treaty of Versailles in 1919. It immediately began studying global labor problems, and it was in this context that it undertook studies of indigenous workers in 1921. From 1921 to 1957, the ILO continued its inquiries regarding the global native labor force. Numerous studies and conferences were held, with a focus on penal (jail) sanctions against indigenous peoples who violated employment contracts with nations and evolving multi-national corporations.

In 1957, the ILO adopted Convention 107 - "concerning the Protection and Integration of Indigenous and other Tribal and Semi-Tribal Populations in Independent Countries". The stated goal of ILO #107 which became effective in June 1959, was "protection and integration." Under #107 'Governments' had the primary responsibility over indigenous 'populations' who were "allowed to retain their own customs and institutions where these are not incompatible with the national legal system or the objectives of integration programs." ILO #107 allows the removal of indigenous peoples from their lands by national governments and subjected their 'individual' rights to "national laws and regulations." No collective rights were recognized or provided for. By and large, ILO #107 failed to identify or set international standards for protection of the rights of indigenous peoples and strongly supported national regulation over the lives of native peoples. In addition, ILO #107 confirmed the status of the global native community as "populations" - a minority group entitled to less than peoples.

As anticipated, the industrialized and imperialist nations rushed to sign ILO Convention #107. It gave them control over indigenous populations who were viewed as a cheap labor force and confirmed their control and ability to relocate native people when their lands were needed for military or industrial uses.

The passage of ILO #107 caused a fire storm among the global native community and provoked strong criticism from the new nations in Africa and elsewhere who were emerging from their own colonial oppression. This negative reaction led the ILO to revise ILO Convention #107. In 1989, the revised convention ILO #169 was adopted "with a view to removing the assimilationist orientation of earlier standards." ILO #169 utilized the term 'peoples' but stated that the word did not have any implications under international law — i.e., that indigenous peoples were not entitled to the right of self-determination. ILO #169 allowed natives to be 'consulted' on matters impacting their lives but it did not entitle them to have their concerns met. In addition, ILO #169 continued to allow the forced relocation of indigenous peoples from their traditional lands.

The United Nations Instruments

In 1948, the Government of Bolivia proposed that the U.N. Economic and Social Council (ECO-SOC) create a Subcommission to study the problems of 'aboriginal' populations in the America continent. This initiative would eventually result in the passage of the Genocide Convention — Convention on the Prevention and Punishment of the Crime of Genocide, on December 9, 1948. The Genocide Convention prohibits acts of genocide against 'racial' and 'ethnic' groups.

One day after the Genocide Act was passed, on December 10, 1948, the U.N. passed the Universal Declaration of Human Rights which did not contain any specific provision relating to indigenous populations. Although the Universal Declaration on Human Rights purports to be binding on all U.N. Nation states, the International Court of Justice in the Hague will not accept complaints filed by indigenous peoples regarding violations of their human rights.

There are various complaint procedures available under the U.N. system (the OAS procedure, UN 1235 procedure, UN 1503 procedure, etc.). These complaint procedures do not afford direct relief. In effect, the existing procedures ask international human rights organizations such as the U.N. Commission on Human Rights for assistance in protecting the rights of victims.

The International Covenants on Human Rights

The general rights referred to in the U.N. Charter and the Universal Declaration of Human Rights were detailed in two international covenants which became effective in 1976.

The International Covenant on Civil and Political rights is intended to "ensure the equal rights of men and women to enjoy civil and political rights...without distinction of any kind..." Freedom of thought, religion and travel are protected. Indigenous peoples are referred to as "minorities" and their 'collective' rights are limited to culture, religion and language. No specific right to land is provided for "minorities" under the Covenant. The USA only recently became a signatory to the Covenant. Its first reporting period was September 1993.

The International Covenant on Economic, Social and Cultural Rights established economic, social and cultural goals which governments are invited to work towards. This covenant did not establish legal rights which governments are obligated to protect. Social security, right to work and to receive vocational training are addressed. Health protections and the right to an education are also identified. Most importantly, discrimination is prohibited.

Changing Times - Changing Standards

In 1982, the U.N. Commission on Human Rights established the Working Group on Indigenous Populations under its Subcommission on Prevention of Discrimination and Protection of Minorities. One of the tasks of the Working Group has been the setting of international standards relating to the rights of indigenous peoples.

From 1982 to 1993, the Working Group received testimony on the indigenous issue and authorized the Draft Declaration on the Rights of Indigenous Peoples. In the summer of 1993, the Working Group completed the Declaration and forwarded the document to the Subcommission for review. This instrument is viewed as the first comprehensive international instrument addressing the rights of indigenous peoples. It provides:

Part I - Article 3: Indigenous peoples have the right of self-determination. By virtue of that right they may freely determine their political status and freely pursue their economic, social and political development.

In addition, the Declaration provides protection against forced relocation from territorial lands, and guarantees the right to development. All collective, cultural and traditional rights are acknowledged and rights to cultural and intellectual property are protected.

The Declaration sets a new standard for indigenous peoples in the global community.

Self-Determination - Minorities, People and Peoples

The U.N. Charter refers to the right of "self-determination of peoples". As has been demonstrated in the previous discussion, most international instruments do not refer to natives as "peoples," but have identified them as "minorities". Minorities do not have the right to govern their affairs or decide their legal and political relationships with other peoples or nations.

The International Court of Justice and the International Commission of Jurists utilize definitions which provide for common history, racial, cultural and linguistic ties, common territory and economic base and sufficient number of people. Under these definitions, Hawaiians and all indigenous peoples should be afforded the rights of "peoples."

ILO #169 and the Vienna documents refer to 'indigenous people'. These documents specifically limit the rights of indigenous people by excluding the right to self-determination and by allowing only individual rights — no collective rights to land or self-governance are afforded.

The emergence of the Declaration on the Rights of Indigenous Peoples from the Working Group in 1993 sets the international standards for natives on the same footing as standards established for the white majority.

As a result of the above progression, U.N. Nation States have begun to organize against the Declaration passed by the Working Group. Several nations, including the USA have written positions against the provisions in the Declaration relating to self-determination. Assisting these nations are natives who believe that the global indigenous community should relinquish the right to self-determination and collective rights in favor of programs and the right to be consulted. The debate is just beginning. Students of international law will be tracking the Declaration through the Subcommission in 1994.



HĀLAWA VALLEY: Daily Destruction Continues and the Coalition Fights for Correct History

As bulldozers continue to wreck havoc on an ancient Hawaiian complex of chiefly residences and heiau in Hālawā Valley (a major O'ahu watershed) today, Ka Lāhui Hawai'i citizens active with the Hālawā Coalition say they will continue to fight the massive destruction.

"This valley has an incredibly large complex of human habitation and sacred places in the centuries before Western contact," says Mahealani Cypher, a Coalition member and citizen of Ka Lāhui Hawai'i.

"The enormity of this area's history and impact on the development of civilization on O'ahu

may never really be known because so much of our sites are being lost through construction of H-3," added Cypher.

What is most disturbing to the Hālawā Coalition, she continues, is that reports being prepared by the Bishop Museum may

not reflect accurately the true history of Hālawā Valley's ancient inhabitants.

"We know from the history of this project

tation."

Through the DOT and Senator Daniel Inouye, the Bishop Museum has received millions of dollars in federal contracts, some of which was to duplicate work in areas they had already surveyed.

The Coalition presents lectures and film showings to groups interested in learning more about the Hālawā Valley issue. Besides working for historic preservation of sites in Hālawā, the group is active in other preservation activities elsewhere in the islands.

Anyone interested in having a presentation

on Hālawā Valley should contact Mahealani Cypher at 737-2077 to set up an appointment. Films documenting the events and destruction in Hālawā and other related events are also available by contacting Shine the Light Productions at 671-5268.



Punihei Anthony places a ho'okupu on a pōhaku at the Hale o Papa

that Bishop Museum has no problem distorting its historical research and reports," Cypher notes. "The museum has made a lot of money from this project, and it is in their interest to write the reports in such a way as to please the State Department of Transpor-

is knowledgeable of all the limu along the shoreline and laments the runoff from the Punalu'u golf course which has polluted the brackish ponds there. No matter how long it takes, Auntie Pele is determined to have the County or C. Brewer clean up their mess and restore the ponds so that the shoreline ecosystem is restored and the limu grows back.

Aside from land issues, Auntie Pele is busy with the formation of the 'Aha Kūka o Na Kūpuna for each Island. Although retired, Auntie Pele and her husband, Uncle James Hanoa keep busy caring for their animals in Wai'ohinu when she is not out fighting for the 'aina.

with the County of Hawai'i to preserve a traditional beach access road at Punalu'u. She recalls the day Ka Lāhui Hawai'i was formed at the Malia Puka o Kalani church in Keaukaha and how many kupuna there had hopes for the future of Hawaiians. More importantly, she notes most people don't realize that it was nā kūpuna who pushed for Ka Lāhui Hawai'i's creation based on their many years of broken promises from the federal and state governments.

As a child, Auntie Pele grew up on the beaches of Punalu'u and helped her fisherman father. She was one of 12 children in her family and remembers going to the plantation camps to help sell 'opelu. Auntie Pele

'Aha Kūka Nā Kūpuna Meet on Lāna'i

The 'Aha Kūka o Na Kūpuna o Ka Lāhui Hawai'i is a special part of the Hawaiian nation. In the Constitution, Article VI entitled Mokuna Ho'okolokolo (Judicial Branch), Section 9, 'Aha Kūka o Na Kūpuna (Council of Elders) states its purpose:

"Any citizen of the Nation may submit any controversy or claim for ho'oponopono (a traditional Hawaiian conflict resolution technique) to the 'Aha Kūka o Na Kūpuna pursuant to the procedures established by the 'Aha Kūka o Na Kūpuna, provided that the resolution of any claim or controversy shall be binding and shall not be appealed to any level of the Mokuna Ho'okolokolo of Ka Lāhui Hawai'i."

To meet the growing needs of Ka Lāhui Hawai'i, Na Kūpuna and the Moku Judges met in Kailua-Kona for an intensive weekend of Ho'oponopono training. Auntie Maile Akimseu, a practitioner and advocate of traditional conflict resolution conducted the session. The basic training course gave an overview of Ho'oponopono, the steps necessary to come to a resolution and the need for total commitment to the process by the participants.

The Council also defined what Kupuna status was, who may be part of the council and the importance of each Island forming their local council. The two-day workshop was conducted as part of Year 2's ANA/ Pono Kaulike Self-Governance Project.

Auntie Pele Hanoa of Kā'u was duly elected as the Po'o for the 'Aha Kūka o Na Kūpuna. (see related story on this page)

The next meeting for the 'Aha Kūka o Na Kūpuna will be in May 1994 at least a day prior to the start of the National Legislative session on Kauai. All Kupuna who are 55 years or older are welcome to attend and become an active part of the Council. For more information, please write to Pele Hanoa P.O. Box 472 Na'alehu, HI 96772 or call her at 929-9047.



Meet Auntie Pele Hanoa

The best way to describe Auntie Pele Hanoa is simply by visualizing her name and its association with the fire goddess, Pele. Auntie Pele is a feisty, active, outspoken and firm believer of mālama 'āina for all Hawaiians now and for the many generations to come.

Auntie Pele has been a part of the grassroots movement: from stopping the Dept. of Transportation plans to build a public boat ramp at Kaulana (DHHL) to being arrested at Wao Kele o Puna rainforest to protest the geothermal project and to her present battle

WHO'S WHO ON THE SOVEREIGNTY ADVISORY COMMISSION (SAC)? From Page Five

Inouye as the "Non-Hawaiian of the Year" at the AHCC 1989 convention.

Bob Lindsey

Lindsey works for the Bishop Estate as its Regional Manager for the island of Hawai'i. As a civic club member, Bob served one term in the House (1984-86). Lindsey was unsuccessful in a bid to unseat OHA Trustee Moanikeala Akaka. He has no background in working for Hawaiian sovereignty.

Aimoku McClellan

Aimoku is the president of McClellan and Smith, Inc., a marketing and sales technical firm, who has received OHA money for a marketing survey.

Aimoku serves as vice-president of the Kamehameha Schools Alumni Association and has challenged the methods used to appoint the Bishop Estate Trustees. McClellan is 45 years old, a graduate of Kamehameha and recently returned to

Hawai'i in 1990. The Alumni Association nominated McClellan to the SAC.



Roxanne 'A'o Pōhaku' Rodenhurst

Rodenhurst was removed as the Ka Lāhui Interim Po'o for O'ahu by unanimous vote of the O'ahu Island Caucus after it was learned

that she had participated in closed meetings with Representative Tom Okamura on the SAC legislation and due to fiscal problems. Although the SAC bill requires nominees to be part of an organization for one year, the rules were broken to get Rodenhurst on the commission under her newly formed group, Ku Ho'one'enu'u Pono. Rodenhurst founded the group after the 1993 legislative session ended in April. Also, she purports to be a Kahu (priest) of her own Jehovah Witness Church.

Barbara Kalipi

A Kamehameha graduate, Kalipi was previously a governor's appointee to the Hawaiian Homes Commission. As a DHHL commissioner, Kalipi fully supported the State's position.

Ann Nathaniel

Nathaniel has been a 'civic club - Alu Like' supporter for years. She was a previous Board member of Alu Like and is in her second term as a Waihee appointee to the DHHL. As a DHHL commissioner, Nathaniel has supported the State's policies yet has tried to initiate and support new initiatives brought forward by homesteaders.

Bill Meheula

A Hawaiian attorney, Meheula has represented the homesteaders of Pahe'ehe'e Ridge in their lawsuit against the State. Also, he has been active in issues relating to water entitlements.

Ilei Beniamina

One of the few Ni'ihauans with a Bachelor of Arts degree, Beniamina is an educator from Kauai. She replaces the seat left vacant on the commission by the untimely death of her mother, Jean Keale. Beniamina has no background in politics.

The United Nations Declaration on the Rights of Indigenous People Part V:26 states that Indigenous People have: "The right to decide upon the structures of their autonomous institutions, to select the membership of such institutions according to their own procedures... states have the duty, where people so concerned so desire, to recognize such institutions and their memberships through the legal systems and political institutions of the State."

A Compilation of News of Nā Mokupuni 'o Ka Lāhui Hawai'i



O'AHU

All other concerns and issues may be directed to Nani Rogers (Island Po'o) at 822-5613.

All concerns, questions or information requests may be directed to the O'ahu Center for Communications at 521-3503.

MOLOKAI

Special mahalo to *Charles Kaupu* for chanting and leading the Molokai march unit and for his hauntingly beautiful chant at Mauna 'Ala for the Saturday morning worship. A woven ti leaf lei adorned the Kamehameha tomb and measured over 300 feet was part of the Molokai ho'okuu.

Please call April Kealoha at 558-8330 for more information on what you can do to help support the Nation or to attend future workshops and meetings.

LĀNĀT

A sovereignty educational workshop presented by Lūkanelā Kia'āina Paul Neves and Pono Kaulike director Genesis Lee Loy at the Sacred Hearts Church hall on Lāna'i in August was attended by more than 40 interested residents. The discussion session indicated a strong need for more community education.

MĀUI

KLH-Maui citizens played a major role in organizing and hosting the Peoples International Tribunal by providing air and ground transportation, logistics and meals for the international panel of judges, witnesses and observers. The day started with traditional chants by Keali'i Reichel, Frank Kawaikapu Hewitt and Roselle Bailey at 'Iao Valley to a seashore presentation near the Waihe'e Dunes then a tour of Keokeo and a helicopter ride of the coastline from Honokohau to Kahikinui. After the aerial tour, a traditional Hawaiian lunch was prepared by Aimoku and Lehua Pali and others at the Kahikinui site for more than a hundred people. The tribunal party then
See Island News, Page 11

Ka Leo o Ka Lāhui Editor
P.O. Box 4964 Hilo, HI 96720

United States and State of Hawai'i Found Guilty of Genocide

Preliminary findings of the Judges of Ka Ho'okolokolonui Kanaka Maoli • Peoples' International Tribunal Hawai'i 1993 find the United States and State of Hawai'i guilty of genocide of the Hawaiian People



Having heard extensive and compelling testimony on the islands of O'ahu, Maui, Molokai, Kaua'i and Hawai'i from August 13-19, 1993, receiving voluminous documentary evidence in support and corroboration of the testimony, and having engaged in a number of site inspections during the same period, the People's International Tribunal, Hawai'i 1993 has arrived at certain general recognitions and findings from which it is prepared to advance preliminary recommendations. It should be noted that a full report detailing and amplifying these results will be issued by the Tribunal within a period of six months.

"During the period of 1826 and 1893, the United States accelerated its interventions in the internal affairs of Lahui Kanaka Maoli."

Recognitions and Findings

The Tribunal finds that:

1. Between the years 1790 and 1826, the United States violated nā kānāwai (Kanaka Maoli law) through a series of actions impugning the sovereignty of the Lahui Kanaka Maoli (Hawaiian people and nation). These actions also violated elements of customary international law, as well as the fundamental commitment of the United States, expressed in its own Declaration of Independence, to respect the inalienable rights of all people to life, liberty and the pursuit of happiness.

2. During the period of 1826 and 1893, the United States accelerated its interventions in the internal affairs of Lahui Kanaka Maoli, abridging and impairing its sovereign functioning and right to self-determination. In addition to violations of nā kānāwai and customary law, these actions violated the terms of at least three ratified and binding treaties: the 1826 Convention Between Commodore A.P. Catesby Jones of the United States and Kamehameha III, the 1850 Treaty of Friendship, Commerce and Navigation Between Kamehameha III and the United States of America; and the 1875 Treaty of Reciprocity Between the Hawaiian Islands and the United States of America. Insofar as Article 6 of the United States Constitution declares ratified treaties to be the "Supreme Law of the Land," these latter violations represent a constitutional level of breach of U.S. domestic law.

3. In 1893 the U.S. openly supported, both diplomatically and through deployment of

military force, a coup d'état conducted by alien immigrants against the legitimate government of Lahui Kanaka Maoli. Thereafter, for a period of five years, the U.S. openly supported the usurping regime by use of armed force against the indigenous population of Hawai'i. In 1898, the U.S. annexed Ka Pae'aina o Hawai'i (the Hawaiian archipelago), neither obtaining the consent of nor even consulting the Kanaka Maoli. Self-evidently, these actions violated nā kānāwai in the most massive and fundamental ways. Violations of customary international law are reflected in the United Nations Charter, Articles 1 (1), 1 (2), 1 (3), 2 (4), 55 and 73; the Charter of the Organization of American States; Articles 17, 18, 19 and 20; the International Covenant on Economic, Social and Cultural Rights, Article 1; the International Covenant on Civil and Political Rights, Article 1; and the Vienna Convention on the Law of Treaties. Insofar as these actions were couched in terms of denying the national sovereign status of Lahui Kanaka Maoli, they also represent an egregious breach of the treaty-making stipulations set forth under Article 1 of the United States Constitution prohibiting the federal government from entering into treaty relations with any entity other than another fully sovereign nation.

4. Following annexation, the United States forcibly subordinated, degraded and systematically dispossessed the Kanaka Maoli. In 1959, utilizing the mechanism of an invalid plebiscite which denied indigenous Hawaiians the right to express their will with regard to their political status the disposition of their territory, the U.S. incorporated Hawai'i into the Union as a state. Aside from its continuing violation of nā kānāwai, this action contravened Article 73 of the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples (U.N. General Assembly Resolution 1514, 14 December 1960).

5. Under provision of Article 20 of the Charter of the Organization of American States, it is unlawful for any nation to recognize claims to territory accruing in the manner described in number 3, above. In effect, all U.S. assertions of jurisdiction and property title in the Hawaiian Islands are legally invalid. Lahui Kanaka Maoli is entitled to be reinscribed on the list of Non-Self-Governing Territories slated for decolonization under provision of Article 73 of the United Nations Charter.

6. Lahui Kanaka Maoli sovereignty has not been extinguished by the illegal actions of the United States. The overthrow of 1893 and purported annexation of 1898 merely changed the nature of the operative state, but did not remove the inherent right of the people to sovereignty.

7. The effective ability of indigenous Hawaiians to assert their legitimate right to self-determination has been denied. The Kanaka Maoli are morally and legally entitled to reassert this right under provision of U.N. General Assembly Resolution 1514.

8. The federal government and government of the state of Hawai'i have imposed and

maintained a "blood quantum" system of identification upon the Kanaka Maoli which is alien to their cultural traditions, which is socially and politically divisive, and which has worked to their economic disadvantage. Blood quantum is ethnocidal and is contrary to the virtual entirety of the International Convention on the Elimination of All Forms of Racial Discrimination.

"The Kanaka Maoli have been subjected to ... genocide, both physical and mental at the hands of the U.S. government and ... the state of Hawai'i"

9. The Kanaka Maoli have been subjected to ongoing processes of genocide, both physical and cultural, at the hands of the U.S. government and the government of the state of Hawai'i, acting in concert with a range of commercial interests, since at least as early as 1850. The conduct of the federal and Hawai'i state governments violate nā Kānāwai, as well as the 1948 Convention for Prevention and Punishment of the Crime of Genocide, Articles 2 (a), 2 (b), 2 (c), 3 (a), 3 (b), 3 (e).

10. The Kanaka Maoli have exhausted all existing peaceful avenues for rectifying the multiplicity of wrongs done to them. Consequently, they are entitled, on an urgent basis, to explore potentially more productive approaches, such as mediated negotiations with the U.S. Department of State.

RECOMMENDATIONS

The tribunal recommends that:

1. The U.S. and the world recognize the sovereignty and right to self-determination of Lahui Kanaka Maoli under provision of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, among other elements of international law.

2. The U.S. and the world should acknowledge the right of Lahui Kanaka Maoli to decolonization under provision of United Nations Resolution 1514.

3. Kanaka maoli lands, including all ceded lands, Hawaiian Homes lands and all other lands to which they have a claim, should be returned to the control of Lahui Kanaka Maoli without delay. Land restoration should be constructed as including restoration of water rights.

4. Jurisdiction over restored lands should be transferred to Lahui Kanaka Maoli at the time of restoration.

5. Blood quantum standards of identification should be immediately suspended. Lahui Kanaka Maoli itself should determine the composition of its citizenry, free from external interference.

6. All other wrongs suffered by the Kanaka Maoli at the hands of the United States and its subsidiaries should be rectified in a man-

ner deemed satisfactory to the people themselves.

7. The United States, in negotiations and other interactions with Lahui Kanaka Maoli, should observe the provisions of the United Nations Declaration on the Rights of Indigenous Peoples as the minimum standards to be followed.

8. The United States should immediately effect a valid ratification of and adherence to the 1948 Convention on Punishment and Prevention of the Crime of Genocide. 4

A tribunal is a court of justice. For the Peoples International Tribunal a panel of scholars and international jurists came to accept evidence and render judgement on their findings. A formal recommendation will be presented at the United Nations.

Kuhina Nui Report

By Owana Salazar, Kuhina Nui

Wilcox Statue Unveiled

Mahalo a nui loa to those of you who attended this very special ceremony on Sept. 11 at Wilcox Park in downtown Honolulu.

The presence of our Nation's officials and citizens was impressive and moving. Members of the Ali'i and Advisory Councils, O'ahu Island Caucus, the Po'o of Molokai, Nā Koa and Kupu'ua came carrying the Nation's flag.

Wilcox Park and Statue are very significant to our people. This is the first time in the history of Hawai'i that a Hawaiian hero has been honored.

As we grew up, it was taught that Robert Wilcox was a rabble rouser and a rebel.

We were constantly told that he failed at revolutions of 1889 and 1895, and that he was just a "troublemaker" to everyone.

Many people believed that he was not Hawaiian at all!

Finally Robert Kalanihiapo Wilcox has been honored and will forever be remembered for his many deeds in favor of the rights of the Hawaiian people.

City Council Chair — and Ka Lahui Hawai'i honorary citizen — Gary Gill originally proposed the ideas for the Wilcox Park and Statue.

Ceremony, Gifts Exchanged Between Treaty Nations

On Sept. 15, I traveled to Los Angeles on a study grant from Pacific Islanders in Communications (PIC).

Arrangements had been made by Carolyn Kual'i for me to meet members of our treaty nations at Puvungna.

Mahalo nui to everyone who gave kōkua for gifts, including:

— Maka and Adrienne of Kaua'i for the alae pa'akai and alae pōhaku.

— Ali'i Council members Chrissy Paty (with her husband and honorary citizen Steve Paty), and Moana Chincio for the macadamia nuts chocolate covered nuts, kukui nut oil, raw Hawaiian sugar, lauhala fans, bracelets, rosettes and more alae.

— Kamakahukilani von Oelhoffen, Mahealani Cypher, and the Hālawā Coalition for the huge amount of ti leaf stalks and mo'olelo about the ti.

A New Direction

Pono Kaulike, Inc. Elects A New Board

On November 27, 1993 a new slate of officers were elected to serve Pono Kaulike, Inc., the private, non-profit corporation whose purpose is to provide the education and training necessary to build the capability of the citizens of Ka Lāhui Hawai'i. Naleen Andrade was elected President; Paul Neves, Vice-President; Genesis Lee Loy, Secretary/Treasurer; and Directors Jill Akana and Robert Alcain.

The new President, Dr. Naleen Andrade is a professor and associate chairperson at the University of Hawai'i, John A. Burns School of Medicine, Department of Psychiatry. Dr. Andrade brings a variety of skills and experience to the Pono Kaulike Board ranging from community organizing within Hawaiian communities in South Kona, preparing congressional legislation for the Hawaiian Health Care Act of 1988, building the administrative infrastructure and fiscal management capacity of multi-site organizations and grant writing experience.

Describing her goals for Pono Kaulike,

Inc., Dr. Andrade reported, "Pono Kaulike was established to create the training and education programs for Ka Lāhui Hawai'i citizens. It represents a cornerstone of the Nation's vision to empower Native people by providing them with the means to understand the system of laws that affect our capacity to earn a living, attain housing, educate ourselves and our children, maintain good health and sustain a Hawaiian nation. With 20,000 citizens Ka Lāhui Hawai'i has the resources within itself to raise the funds necessary to establish a thriving nation. I and the Board of Pono Kaulike will be talking with citizens and Ka Lāhui leadership to move our nation into its next stage of development on every island." Andrade added, "Several individual citizens have given generously. However, if only fifty percent or 10,000 citizens sent in ten dollars every three months, there would be enough funds to run offices on every island." ♪

ANA Grant Report

The end of 1993 marks the successful completion of work on a \$242,000 federal grant for Ka Lāhui Hawai'i from the Administration for Native Americans to develop greater self-governance capability. Spanning two and a half years, the grant was awarded in August 1991 to Pono Kaulike, Inc., a non-profit corporation sponsoring the project.

The grant focused on three major objectives: 1) education and communication, 2) self-governance training, and 3) conflict resolution training for development of a judicial branch of government.

Under objective 1, Ka Lāhui was to conduct 76 education workshops for the community on sovereignty, establish a five island computer network to maintain the citizen enrollment database containing names and demographic information on the citizenry, and publish five issues of a national newsletter to keep citizens apprised of current issues.

Ka Lāhui was able to exceed its educational outreach activities by conducting over 120 workshops throughout the islands, reaching over 4,500 people. Nearly 20,000 copies of its educational booklets and 400 video tapes were distributed over this time period.

The establishment of a computerized citizen database was completed. However, modifications are being made to improve the efficiency of the computer network. Five island computers and one master computer were purchased and installed with database, word-processing and telecommunications software. Moreover, a customized database program was developed to facilitate data entry and retrieval in various report formats. Database personnel were trained on each island to operate and maintain the computers. This equipment allows Ka Lāhui to communicate with its citizens through mailouts and phone calls. Currently, there are nearly 20,000 citizen records in the database.

Also, Ka Lāhui successfully published five issues of the Ka Lāhui newsletter.

To increase its governance capability Ka

Lāhui successfully conducted 27 training workshops for its elected officers covering government process (County, State and Federal), land use planning, natural resource management, historic site registration, and Native Hawaiian water rights. In addition, workshops on strategic planning and group facilitation were conducted to improve the Nation's organizational skills.

The last training sessions focused on traditional and modern methods of conflict resolution to develop skills for the judicial branch of Ka Lāhui's government: the elected judges and kūpuna (elder) council.

The ANA grant provided Ka Lāhui with the opportunity to increase its governance and organizational capability. It also permitted the Nation to provide sorely needed information and education for Hawaiian (and non-Hawaiians) concerning sovereignty and the approach adopted by the citizens of Ka Lāhui to attain this end.

The grant also served to challenge the resources of the Nation. Volunteers contributed over \$200,000 in services and raised \$16,000 in matching funds to complete the grant work.

The Ka Lāhui self-governance project was very successful in increasing citizen participation and community empowerment by providing a largely politically alienated Hawaiian community with a governance alternative of their own making. On a more personal level, the organization witnessed the development of a new generation of leaders. This has contributed to a greater sense of self-esteem, efficacy and empowerment.

The ANA grant also served to highlight the organization's strengths and weaknesses; and therefore, the areas which need further development. Ka Lāhui is clearly in a formative stage of organizational development, but has grown significantly over the past two years. The grant also gave everyone a greater appreciation of the difficulties and realities of the mission to achieve self-governance for Hawai'i's native people. The struggle continues, but a strong foundation has been set. ♪

Island News

From Page Nine

rested overnight in Hāna before leaving for two days of meetings on the Big Island.

For more info on caucus events, upcoming meetings, workshops or fundraiser items contact Clyde Kahalehau at 242-6923 or Sarah Nakihei at 877-4659.



HAWAII

The Hilo District has developed an island wide communication network proposal to contact and inform all citizens on the Nation's activities. Use of existing community and citizen resources will be a vital element in the implementation of the proposal. As of press time, the proposal is being reviewed for national consideration.

Written testimony opposing Oceanside 1250 Partner's application for zone change and Shoreline Management Area (SMA) permit regarding its proposed residential community and golf course project at Hōkūkano, South Kona was submitted. The developer arranged a day long field trip for concerned KLH citizens to tour the many historical and culturally significant sites on the property. Oceanside 1250 is anxious to work with Native Hawaiians to preserve and protect these cultural treasures. Upon KLH's testimony, the Planning Commission included as a condition of permit approval, a working relationship between the developer with KLH and other Hawaiian groups regarding the proper treatment and protection of cultural sites. The Kona Land committee will be working and monitoring this project.

Written opposition to the Land Use Commission (LUC) regarding the Office of State Planning's request to reclassify 2,600 acres of Conservation zoned State (ceded) lands to Urban was also submitted. KLH testimony cited states' trust obligation to Native Hawaiians under Section 5(f) and outlined deficiencies regarding the EIS's lack of provisions to address the needs of Native Hawaiians. DHHL submitted no comment except that their records reflect the acreage to be more than 2,600. A motive of the State for such a reclassification with no definite development plan except a university expected to be built on 500 acres, appears to be to enhance the value of these lands. A possible land exchange with Bishop Estate of its beachfront property at Makalawena so the State could proceed with its proposed seven-mile State park will proceed. The matter is pending and will be monitored closely.

Land issues continue to dominate Hawai'i citizens' efforts to monitor development on the island. Several precedent setting issues were:

North and South Kona Districts filed opposition testimony regarding Mauna Lani Resort's application to construct a lagoon. Ka Lāhui's testimony pointed out "that submerged lands are 'ceded' lands over which the County has no jurisdiction." The ceded lands issue was an important factor in the Hearing Officer's denial of Mauna Lani's application which was withdrawn.

The Kona District also filed a Supreme Court Amicus Brief in behalf of KLH in an appeal case filed by the Hawai'i County Planning Commission appealing the Third Circuit Court's decision granting Public Access Shoreline Hawai'i (PASH) intervenor status. The court requested the parties

involved to submit memos regarding Native Hawaiian gathering rights and whether or not the Planning Commission is obligated to consider these rights prior to granting applications for special permits to develop privately owned lands. Any Supreme Court decision in favor of or against Native Hawaiian gathering rights would have been history-making and precedent-setting. Oral arguments regarding the gathering rights issue were cancelled by the Court. It appears the Supreme Court has determined the Third Circuit Court did not have jurisdiction and was not the appropriate body before which to bring appeals from planning commission decisions. The matter is pending and will be monitored for future court action.

Oral opposition testimony was submitted before the LUC regarding Nansay's request for a zoning change from Conservation to Urban. Māhealani Pai of Honokahau arranged a field trip to the Kona project area with other KLH citizens who later testified at the LUC hearing. The Nansay application was denied and they have filed an appeal of that decision.

Special mention and mahalo to Anuhea Reimann-Giegerl who served as Kona District Po'o and National Health Standing Committee Chair since 1990. She helped build the area into one of the most active on the Big Island. Anuhea has resigned her positions to devote more time to her family and career. Mahalo nui loa a me aloha pumehana e Anuhea!

Special recognition to the following for volunteering to fill vacancies in the Kona Districts: Charlie Young (328-2124) as South Kona Po'o, Maile David (329-7731) as North Kona Po'o, Shirley Kanuha (326-9362) as N. Kona Education Chair and Keoki Cortez (323-3195) as S. Kona Land Chair. ♪



KA LAHUI HAWAI'I MOKU HONU

At the November 1993 national legislative session, Ka Lāhui Hawai'i delegates voted unanimously to allow Hawaiian citizens living on the continental U.S. to vote in national elections. The Moku Honu (Turtle Island/Continental U.S.) delegation was led by Sharon Lum Ho (California), and Healani Waiwai'ole (Oregon) in their second and successful bid to lobby for the vote for Ka Lāhui citizens who do not live within the Hawaiian archipelago.

For more information, in Oregon contact Healani Waiwai'ole at (503)228-9890 and in San Francisco contact Sharon Lum Ho at (510)559-8430.

KA LEO O KA LĀHUI HAWAI'I

'AO'AO 'UMIKUMĀWALU

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READERS: WE WANT TO HEAR FROM YOU!

Ka Leo o Ka Lāhui's editorial board invites you, the citizens of Ka Lāhui, to be a part of your national newspaper.

Letters to the Editor, poems, mele, chants, artwork, cartoons, and information about yourself or your 'ohana are welcome news to the rest of our nation.

Send Letters to the Editor or other contributions to: Ka Leo o Ka Lāhui, P. O. Box 4964, Hilo, HI 96720.

MOVED? PLEASE REPORT YOUR CHANGE OF ADDRESS!

Ka Leo o Ka Lāhui wants to make sure you receive every edition of your newspaper. Our national data bank, which prints out labels for all of our mailings, is still being updated with new addresses.

Many citizens who have moved have not received notification of various Ka Lāhui Hawai'i activities.

We strongly urge you to correct our records by sending in your address change: Send in your name, your new address (please label it properly), your old address, and your new telephone number.



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Māhala nui loa to the following persons for extending their hospitality and sharing their time and aloha:

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Honu Huihui
Dovey Kakalia
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ATTEND SAC PUBLIC INFORMATIONAL MEETINGS

All meetings begin at 6:00 p.m.

Tuesday, January 11, 1994	Mitchell Pau'ole Center • Kaunakakai, Molokai Lāna'i H. S. Cafeteria • Lāna'i City, Lāna'i
Wednesday, January 12, 1994	Helene Hall • Hāna, Maui Pōmaika'i Hall • Paukukalo, Maui Ka'anapali Beach Hotel • Lahaina, Maui
Thursday, January 13, 1994	Waimea Canyon School • Waimea, Kaua'i Anahola Clubhouse • Anahola, Kaua'i
Tuesday, January 18, 1994	Pāhala High School • Pāhala, Kā'u, Hawai'i Kealakehe Intermediate • S. Kona, Hawai'i Kuh'o Hale Hawn. Hms. • Waimea, Hawai'i Keaukaha School • Hilo, Hawai'i
Wednesday, January 19, 1994	Waimānalo School • Waimānalo, O'ahu Ben Parker Elementary • Kāne'ohe, O'ahu Kahuku High School • Kahuku, O'ahu
Thursday, January 20, 1994	Nānāikapono Elementary • Nānākuli, O'ahu Wai'anae High School • Wai'anae, O'ahu Highlands Intermediate • Pearl City, O'ahu
Friday, January 21, 1994	Central Intermediate • Honolulu, O'ahu Lāi'e Elementary School • Lāi'e, O'ahu

For more information, contact Lulani McKenzie - Office of State Planning
587-2834 or 587-3158

On Ka Lāhui Hawai'i...

"My advice to that person is to tell them to enroll and work with us. There's a great deal of work that has to be done, and we need all the help we can get. If someone is non-Hawaiian, I don't have time to deal with their guilt. I need help. I think you might find people who feel that way, but don't want to help. They feel that they're not Hawaiians, they're not involved in it. They just have lived here for generations; they love Hawaii, it's their home. They want to work; they want to have their own little life. To those people, my advice is, better educate yourself about sovereignty, better become involved, because this is not a fencepost that you can straddle." Mililani B. Trask

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